

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
August 10, 2005**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., August 10, 2005, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Juanita Garza, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain

MINUTES

There were no minutes to approve at this meeting.

PERSONNEL AGENDA

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to approve the Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

EASEMENTS AND RIGHT-OF-WAY

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to approve acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

Bethany Home Outfall Channel (Per: Resolution FCD 98-12)

Item A002.301, Relocation Assistance Entitlements for 7941 W. San Miguel Limited Partnership in the amount of \$30,000.00.

Item A002.301 (T1), Relocation Assistance Entitlements for David Doherty and Mary Ann Goslin in the amount of \$55,000.00.

Item A002.301 (T2), Relocation Assistance Entitlements for Justin and Dianne Doherty in the amount of \$25,000.00.

Item A002.304, Relocation Assistance Entitlements for Common Ground Broadcasting, Inc. in the amount of \$110,000.00.

83rd Avenue and Pinnacle Peak Road Project (Per Resolution FCD 2001R012)

Item 20115214-ROE, Temporary Right-of-Entry Easement and Agreement for Flood Control Purposes from Shu-Chu Wu Yang to the Flood Control District of Maricopa County for the sum of \$500.00.

Property Management – Laveen Area Conveyance Channel (Per Resolution FCD 1999R016)

Item A001.005, Drainage Easement from the Flood Control District of Maricopa County to Rogers Ranch Unit Two Homeowner's Association for the sum of \$1,686.00.

CONTRACT WITH KIRKHAM MICHAEL CONSULTING ENGINEERS FOR POST DESIGN SERVICES

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to award Contract FCD 2004C071, On-Call Post Design Services, to Kirkham Michael Consulting Engineers (consultant) during the construction of Contract FCD 2003C029 - Chandler Heights Detention Basin Phase 2 - Queen Creek Channel and Side Weir Project (PCN 121.03.33). The contract will be effective for 730 calendar days from the date of execution or until the contract expenditure of \$40,000, whichever occurs first. The Flood Control District of Maricopa County and the consultant, will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to the notice-to-proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C6905136500)

SELL EXCESS PARCELS UTILIZING DISPOSITION PROGRAM

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to authorize the Flood Control District of Maricopa County to sell excess parcels beginning in FY 2005-06. The district will utilize its disposition program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The auction will start at fair market value, with the starting bid determined by a certified licensed appraiser, or, in the event of a sale to a municipality, or school district, at fair market value without an auction. If an auction takes place, district staff will sell the parcel in compliance with A.R.S. §9-402 and §48-36031, which mandates that an invitation for bid be published for the sale of all real property.

- a. **31st Avenue & Skunk Creek.** Parcel No. Portion U210-EX is a vacant strip of land located on 31st Avenue adjacent to Skunk Creek, which is on the east, south of Cavedale Drive and north of Jomax Road, containing 0.5929+/- acres. (C6905137B00) (ADM1903-002)
- b. **Cottonwood Lane & Desert Hills Canyon Road.** Parcel No. N-2138-4-EX is a vacant strip of land located at the corner of Cottonwood Lane and Desert Hills Canyon Road in Wickenburg, containing 0.19+/- acres. The parcel was previously approved for sale on November 6, 2002 (C6903067B00). (C6905138B00) (ADM1903-002)
- c. **Bethany Home Road & 83rd Avenue.** Parcel No. A002.009-EX is a vacant strip of land located south of Bethany Home Road and east of 83rd Avenue, adjacent to the Bethany Home Outfall Channel Project, containing 2.35+/- acres and zoned in the City of Glendale SR-1. (C6905140B00) (ADM1903-002)

IGA WITH ADOT FOR MODIFICATIONS TO SPOOK HILL FLOOD RETARDING STRUCTURE

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to approve Intergovernmental Agreement (IGA) FCD 2004A009 between the Flood Control District of Maricopa County and the Arizona Department of Transportation (ADOT) to allow for modifications to the Spook Hill Flood Retarding Structure due to the construction of the Loop 202L Freeway. Approve expenditure and revenue budget adjustments to the Flood Control District's Five-Year Capital Improvement Plan, Department 690, Fund 990, as follows:

- o Increase expenditures in the Spook Hill FRS Project, F300, by \$49,000 in Year 1, by \$51,000 in Year 2, and by \$2,518,472 in Year 3.
- o Decrease expenditures in Project Reserves, FCPR, by \$19,000 in Year 1 and by \$21,000 in Year 2.
- o Decrease expenditures in the Skunk Creek/New River Project, F400, by \$30,000 in Year 1.
- o Decrease expenditures in East Mesa ADMP Project, F442, by \$30,000 in Year 2 and by \$15,000 in Year 3.
- o Increase revenue in the Spook Hill FRS Project, F300, by \$2,503,472 in Year 3.

The expenditure adjustments in Years 1 and 2 have a net zero impact on the overall district budget. The expenditure adjustment in Year 3 has an impact of \$2,503,472. The revenue budget adjustment will increase the district's revenue budget in Year 3 of the Five-Year Capital Improvement Plan by \$2,503,472. The district will also realize a revenue increase of \$1,000,000 per the IGA with ADOT in the Operating Fund (991) in FY 2007-08, which will be budgeted accordingly. (C6905139200)

CONTRACTS FOR ON-CALL APPRAISAL SERVICES

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to award 11 on-call appraisal contracts for pending and new projects requiring appraisal services. Each contract is effective for 730 calendar days following the Board of Directors' approval or until the expenditure of \$75,000, whichever occurs first. Contracts with the district are as follows (C69060015ZZ):

- o Dennis Lopez & Associates, FCD2004C075 (C6906002500)
- o Johnson & Zaddack, Inc., FCD2004C076 (C6906003500)
- o Nagy Property Consultants, Inc., FCD2004C077 (C6906004500)
- o Harding & Associates, FCD2004C078 (C6906005500)
- o Loper & Associates, LLC, FCD2004C079 (C6906006500)
- o Hulet & Associates, FCD2004C080 (C6906007500)
- o Appraisal Technology, Inc., FCD2004C081 (C6906008500)
- o Glover Valuation Group, FCD2004C082 (C6906009500)
- o Thoms & Associates Appraisal & Consulting, FCD2004C083 (C6906010500)
- o First Appraisal Services, FCD2004C084 (C6906011500)
- o Montandon Farley RE-AD Group, FCD2004C085 (C6906012500)

CONTRACTS FOR MAPPING SERVICES

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to award the following contracts for mapping services:

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- a. **Wilson & Company.** Award Contract FCD 2004C048, Mapping Services for Luke Wash & Arlington Area Drainage Master Plan (ADMP), to Wilson & Company, in the lump sum of \$786,718.82. The contract performance is 270 calendar days effective the date of the notice-to-proceed. (C6906013500)
- b. **Stewart Geo Technologies, Inc.** Award Contract FCD 2004C047, Mapping Services for Upper New River Area Drainage Master Plan (ADMP), to Stewart Geo Technologies, Inc., to provide aerial mapping and survey services. The contract is to be awarded for a lump sum amount of \$578,247, plus a fee not-to-exceed of \$79,444 in optional tasks for additional meetings, compilation of planimetrics for the Anthem Area, and precise edge-matching between data sets. The contract performance is 270 calendar days, effective the date of the notice-to-proceed. (C6906015500)

RESOLUTION TO CHANGE PROCUREMENT CODE

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to adopt Resolution FCD 2005R015 changing the procurement code used by the Flood Control District of Maricopa County to conform to the procurement code used by Maricopa County. (C6906016600) (ADM1918)

CONTRACTS FOR ON-CALL GEOTECHNICAL TESTING & CONSULTING SERVICES

Motion was made by Director Kunasek, seconded by Director Stapley, and unanimously carried (5-0) to award two contracts for On-Call Geotechnical Testing and Consulting Services. These contracts are for the not-to-exceed amount of \$150,000, or for two years, whichever occurs first. The Flood Control District of Maricopa County and the consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to notice-to-proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C69060175ZZ)

- a. Kleinfelder, Inc. (consultant), (C6906018500)
- b. Ninyo & Moore (consultant) (C6906019500)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board